

an injury. A battery does not have to produce an injury. It has to do with violating the integrity of a person's physical or mental well-being. The threat violates their mental feeling of safety and peace of mind. The touching violates the integrity of their body. You know what assault means, you know what battery means, you know what assault and battery means and they are defined. You will not show me where the term brutal is defined in the law. You might have judges using it as an adjective just as I may use the word reprehensible to describe some of the things we're talking about with reference to hazing or despicable, but we don't use those terms to define a crime because they're susceptible to too many different meanings and such language as that. I had mentioned before this extremely heinous or whatever the terminology was that they had put in the death penalty statute in Nebraska has been ruled unconstitutionally vague. So just because the Legislature puts it in a law does not mean that it will withstand constitutional muster. This provision will probably remain in the bill as will the others, but I want to call attention specifically to those areas of the bill that I see as a problem. I wanted to give Senator Matzke an opportunity to erase that problem if possible, but the things that he said only show the validity of what it is that I had indicated.

SPEAKER WITHEN: Thank you, Senator Chambers. No additional lights on, Senator Chambers, you are recognized to close.

SENATOR CHAMBERS: Mr. Speaker and members of the Legislature, nobody here knows what brutal treatment is. You might see a particular thing happen and you'd say that was brutal. It's an adjective, but it has different definitions. You're dealing in the context of behavior by students which you disapprove of, but you're going about it in a way does not make clear what it is you're attacking. Another area of difficulty, and I might have one or two amendments, at most, to try to highlight some of those areas, is where you don't hold these alumni advisors responsible for what they not only may know is happening, but they may participate in it. It may be a long time ago that Senator Matzke first became aware of these things. As a result, he may not be aware that graduates, people who graduated, participate in the activities of these fraternities; that they participate in the hazing, they direct the hazing, and they contrive some of the types of hazing that will occur. But if they say that I'm an alumni advisor, they're not touched by this bill. And Senator Matzke is correct when if you're going to